



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,610	02/05/2004	Jeasung Jay Yoo	KOYOP101USA	5072
23623	7590	07/07/2006	EXAMINER	
AMIN, TUROCY & CALVIN, LLP 1900 EAST 9TH STREET, NATIONAL CITY CENTER 24TH FLOOR, CLEVELAND, OH 44114			HOEY, ALISSA L	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/772,610	Applicant(s) YOO, JEASUNG JAY	
	Examiner Alissa L. Hoey	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) 21-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This is in response to amendment received on 05/09/06. Claims 1, 2, 3, 8 and 10 were amended, claims 13-20 cancelled and claims 21-28 newly added.

Election/Restrictions

2. Newly submitted claims 21-26 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claims 21-26 require a garment having a pocket formed in a sleeve. Claims 1-12, 27 and 28 require a pocket in garment with a liner/vest and slits in the outer garment and liner/vest.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 21-26 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Objections

3. Claim 28 is objected to because of the following informalities: claim 28 is dependent upon itself. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3765

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 3, 5, 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Siegel (US 2,073,231).

In regard to claim 1, Siegel teaches a garment comprising an outer garment with an inner pocket (figures 6, 11, 12, 15, 16). A vest/liner formed to selectively be worn in one of alone and coupled to the outer garment (page 1, column 1, lines 6-15). The vest/liner having an access slit that facilitates access to the inner pocket of the outer garment when coupled to the outer garment (figure 6, identifier 60). Means for fastening (26, 27) and at least partially coupling the vest/liner to the outer garment such that the inner pocket (60) is accessible via the access slit when the vest/liner is coupled to the garment (page 2, column 2, lines 44-75 through page 3, column 1, lines 1-6).

In regard to claim 2, Siegel teaches the means for securing that facilitates secure storage of a personal item (figures 15, 16).

In regard to claim 3, Siegel teaches the means for fastening comprising at least one of a zipper, a flexible hook and loop fastening system, a snap, a button and a hook and eye (figures 1 and 2).

In regard to claim 5, Siegel teaches the inner pocket being further accessible from an outer surface of the outer garment via a semi-concealed slit (53).

In regard to claim 6, Siegel teaches the inner pocket material capable of being impervious to some blades.

In regard to claim 9, Siegel teaches the pocket material capable of being heat sensitive to a degree.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Jordan (US 2002/0189000).

Siegel teaches a garment with a pocket as described above in claim 1. However, Siegel fails to teach the garment having seven inner pockets or a plurality of inner pockets located symmetrically about a longitudinal axis about the center of the outer garment.

In regard to claim 4, Jordan teaches the inner pocket being further accessible from an outer surface of the outer garment via a concealed zipper (0026).

In regard to claim 11, Jordan teaches the plurality of inner pockets located symmetrically about a longitudinal axis at about the center of the outer garment (figure 2).

In regard to claim 12, Jordan teaches the garment having seven inner pockets (figure 2).

It would have been obvious to have provided the jacket with pockets of Siegel with the multiple inner pockets of Jordan and the closures, since the jacket of Siegel provided with a greater number of inner pockets would provide more places for the

Art Unit: 3765

wearer to store items while not needed by the user and the closure means would provide securement to the items when stored inside the pockets.

8. Claims 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Anderson (US 3,055,133).

Siegel teaches a garment with pockets as described above in claim 1. However, Siegel fails to teach the pockets being made out of waterproof material, anti-magnetic material or a transparent material.

In regard to claim 7, Anderson teaches an inner pocket comprising a waterproof material due to it's plastic material construction (column 1, lines 25-35).

In regard to claim 8, Anderson teaches a pocket comprising a plastic material and it is capable of being anti-magnetic and insulating magnetically-sensitive items from magnetic fields depending upon the size and strength of the magnet.

In regard to claim 10, Anderson teaches the inner pocket comprising a transparent material for enabling viewing of at least a portion of pocket contents (column 1, lines 25-35).

It would have been obvious to have provided the jacket with pocket of Siegel with the plastic inner pocket of Anderson, since the plastic pocket provides not only the ability to see what is inside the pocket but also provide waterproof properties to the pocket so that water cannot penetrate through the pocket and wet the item stored.

9. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Lenart (US 5,468,152).

Art Unit: 3765

In regard to claim 27, Siegel teaches an outer garment comprising an inner pocket and a vest liner having an access slit that facilitates access to the inner pocket of the outer garment (figures 6, 11, 12, 15 and 16). The vest/liner can be at least partially coupled to the outer garment by means for fastening and the inner pocket is accessible via the access slit when the vest/liner is coupled to the outer garment (page 2, column 2, lines 44-75 through page 3 column 1, lines 1-6).

However, Siegel fails to teach a pocket map indicator that provides an indication of the contents of the pocket.

Lenart teaches a pocket map indicator that provides an indication of the contents of the pocket (column 2, lines 35-63).

In regard to claim 28, Lenart teaches the pocket map indicator comprising at least one of a color-coded map, an alphanumeric character map and a graphical indicator map (column 2, lines 35-63).

It would have been obvious to have provided the garment of Siegel having a pocket with vest/liner and access slit with the map indicator on pocket of Lenart, since the garment of Siegel provided a map indicator on the pocket would provide the user and onlookers the ability to be able to know what is located in the pocket.

Response to Arguments

10. Applicant's arguments filed 05/09/06 have been fully considered but they are not persuasive.

Applicant argues that Siegel fails to teach the vest/liner to be selectively worn in one of alone and coupled to the outer garment.

Examiner disagrees, since Siegel teaches in page 1, column 1, lines 10-14; that the lining when removed could be used as a separate garment such as a bath robe or raincoat.

Further, Applicant argues that Siegel fails to teach the vest/liner having an access slit that facilitates access to the inner pocket of the outer garment.

Examiner disagrees, since Siegel teaches in a slit on the vest/liner for access to the inner pocket of the outer garment (page 1, column 1, lines 47-54).

Finally, Applicant argues that Siegel fails to teach a vest/liner, due to the fact that interlining (22) has sleeve portions.

Examiner notes that as claimed as long as Spiegel teaches a vest/liner that can be worn separately from the outer layer and has a slit to access a pocket the vest/liner can be a liner or a vest as broadly claimed.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gabler and Slezak are cited to show closely related garment articles.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 3765

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alissa L. Hoey whose telephone number is (571) 272-4985. The examiner can normally be reached on M-F (8:00-5:30) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alissa L. Hoey
Primary Examiner
Technology Center 3700